

**BOROUGH OF ROCKY HILL
COUNCIL MINUTES
June 20, 2011**

The regular meeting of the Borough Council of the Borough of Rocky Hill was called to order by Mayor Zimmerman at 7:30 PM followed by the salute to the Flag.

NOTICE OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

The following statement was read into the record by Mayor Zimmerman: This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting was included in a list of meetings transmitted to the Courier News and Somerset Spectator on January 5, 2011. Notice remains continuously posted as to required notices under the Statute. A copy of this notice is available to the public and is on file in the Office of the Borough Clerk.

ROLL CALL

Mr. Tom Bremner-present, Mr. Jeff Donahue-present, Mr. Joshua E. Hochberg-present, Ms. Julia Hasser-absent, Mr. Mark Pausch-present, Mr. Robert Steen-present.

Also present: Borough Attorney Albert Cruz, Deputy Clerk Raymond Whitlock, Ted Ibex- Consultant arrived at 8:30 PM

MAYOR'S COMMENTS

Mayor Zimmerman reminded the Council that summer hours begin at this point going to one meeting per month for July, August and September.

Mayor Zimmerman stated that History was being made this evening. Mayor Zimmerman stated that Deputy Clerk Whitlock has decided to retire as of July 1st, 2011. Mayor Zimmerman researched the Borough's minutes and determined that there has been a Whitlock involved in the Borough for over 70 years. Mayor Zimmerman informed the Council since 1947 there was a Whitlock as Mayor, Clerk or Councilman. Members of Council and the audience stood and applauded Raymond Whitlock for his dedication and commitment to the Borough.

Mayor Zimmerman stated that he attended the event at the Princeton Airport honoring the Newhouse's. Mayor Zimmerman informed the Council that there were many historic photos on display. The thing that Mayor Zimmerman found most interesting was that wing aileron was invented by Mr. Newhouse right in the Borough of Rocky Hill.

Mayor Zimmerman extended his thanks to the firemen and the constables for the cleanup efforts after the last storm in the Borough.

Mayor Zimmerman alerted the Council to an incident that took place at former Mayor Morren's home. A neighbor heard what they thought was gunfire coming from Mr. Morren's home and called police. The police surrounded Mr. Morren's home at which point they determined the noise was fireworks on green acres, not gunshots.

APPROVAL OF MINUTES

Regular Meeting Minutes –June , 2011 – Motion was made by Hochberg to approve the minutes as amended. Motion was seconded by Bremner. Motion carried on roll call vote- all ayes.

For: Bremner, Donahue, Hochberg, Pausch, Steen
Against: None
Abstain: None

Executive Session Minutes- June 2011- Motion was made by Hochberg to approve the minutes as amended. Motion was seconded by Steen. Motion carried on roll call vote- all ayes.

Approved 7/18/2011

For: Bremner, Donahue, Hochberg, Pausch, Steen
Against: None
Abstain: None

REQUEST OF COUNCIL FOR NEW OR OLD BUSINESS (NOT ON AGENDA)

New Business- Panicaro Park Use

PUBLIC COMMENT

The floor was opened to the public for comments/questions. Hearing none the floor was immediately closed.

APPROVAL OF VOUCHERS- Bill List Dated 6/20/11

Motion was made to approve all vouchers by Steen. Motion was seconded by Donahue. Motion carried on roll call vote all ayes.

For: Bremner, Donahue, Hochberg, Pausch, Steen
Against: None
Abstain: None

DEPARTMENTAL REPORTS

Tax Collector Report – May 2011

Court Administrator Report – May 2011

Mayor Zimmerman summarized the Court Administrators report for the month of May. Motion was made by Pausch to approve the reports as presented. Motion was seconded by Bremner. Motion carried on roll call vote- all ayes.

For: Bremner, Donahue, Hochberg, Pausch, Steen
Against: None
Abstain: None

COMMITTEE REPORTS

Administration & Records Council Member Hochberg reported that Dr. Fisher from the Board of Health was in need of some assistance with revising an ordinance. Council Member Hochberg also stated that he was becoming more involved with the special committee the Mayor has assembled.

Buildings & Grounds – Council Member Donahue stated that Donnelly, an energy consulting company, has come through the buildings to look at the grant funding opportunities. Council Member Donahue stated that the Fire Department already has a gas service; so Donnelly recommends switching to a gas furnace from oil. Council Member Donahue stated the original application had noted two air conditioning units to be replaced at the First Aid Building, however there are no existing air conditioning units, so an error had been made. Council Member Donahue stated that Donnelly recommended changing the light bulbs at the Borough Hall to high efficiency bulbs. Council Member Donahue stated small repairs had been made to the windows on the nursery school side of Borough Hall. Council Member Donahue also stated the repairs had been made to the tennis court nets and bearings. Council Member Donahue reminded the Council the playground re-mulching project is scheduled for July 16th, 2011. Council Member Donahue stated that he has done a preliminary wasp inspection at the Borough Hall; another will be conducted before July 11th. Council Member Donahue stated there was a positive teleconference between the designer/architect and others for the 9/11 monument. Mayor Zimmerman mentioned that the costs for the monument were increasing. Council Member Donahue stated that he is looking into the phone system installation in the building. Mayor Zimmerman asked that Council Member Donahue remind the nursery school that the lights are constantly left on in the hall, the basement and the bathrooms. Mayor Zimmerman mentioned that the bathroom sink is leaking and that the weeds need to be removed at Panicaro Park.

Approved 7/18/2011

Finance & Insurance - Nothing to report at this time.

Public Safety & Emergency Services- Council President Pausch thanked the public safety officials for their assistance during the last storm. Council President Pausch stated that there is an issue with people producing ID that are utilizing the tennis courts. Mayor Zimmerman stated that there is a great deal of trash being strewn about the park near the tennis courts. Mayor Zimmerman stated the Borough would be purchasing shirts for the constables, and stated that shirts could be ordered for Council Members, however the expense would need to be reimbursed. Mayor Zimmerman inquired about ordering long sleeve shirts for the constables for the winter. Members of Council decided to hold off on the shirts, as jackets will cover the shirts. Council President Pausch stated that the State Police have been alerted for the Independence Day event to be held on July 2nd. Mayor Zimmerman stated that there appears to be a partial stone wall on Merritt Lane. The property owner has placed a cone near the debris, as it is a hazard, however, the debris needs to be removed.

Streets & Roads – Council Member Bremner stated there are several trees with new growth on them, which are blocking road signs. Council Member Bremner stated there is a link on the county website for the Borough, however the information is incorrect. Council Member Bremner stated that there are several signs that are damaged and blocking sidewalks. Members of council felt that any signs that are blocking sidewalks or are a safety hazard need to be fixed immediately.

Water, Sewer & Environmental Protection – Council Member Steen summarized the report for May stating 2,511,000 gallons had been pumped from well # 2 and that all bacterial tests were all favorable. Council Member Steen also noted that water mains are being checked for leaks.

Council Representative to Planning Board – Borough Clerk Newman informed the Council there were two applications on the agenda. One was for a deck on Montgomery Avenue and the other was a use variance for the Outerbridge Morgan building. There was also an informal concept review for a home to be built at 5 Montgomery Avenue, which was revised to address the Boards concerns.

Zoning Official's Report – Zoning Officer Whitlock stated there is progress being made at 98 Washington Street, and it should be painted soon. Mayor Zimmerman stated that there are many lawn signs popping up on Borough property, which can be removed, as they are not permitted

Grants Committee – Council Member Bremner stated there are no updates regarding the old County Grant for the Preservation plan, or the recent application for the Borough Hall preservation.

Recreation Committee- Nothing at this time.

Board of Health-Council President Pausch stated that Dr. Fisher has been having difficulty with the Borough website. Council President Pausch requested assistance from anyone who may be able to help.

SPECIAL BUSINESS

CFO REPORT-CFO Monzo stated that there are no budget concerns and the Borough is where it was budgeted to be financially.

Motion to accept the CFO's report as presented was made by Bremner. Motion was seconded by Donahue. Motion carried on roll call vote- all ayes.

For: Bremner, Donahue, Hochberg, Pausch, Steen

Against: None

Abstain: None

Resolution 2011-57 Corrective Action Plan for Fiscal Year 2009- CFO Monzo explained the audit findings and the resolve of the issue. CFO Monzo stated that he would obtain copies of all business registration forms from the vendors in the Borough. Motion was made by Donahue to approve the resolution as presented. Motion was seconded by Steen. Motion carried on roll call vote- all ayes.

For: Bremner, Donahue, Hochberg, Pausch, Steen

Against: None

Abstain: None

Resolution 2011 – 58 Renewal of Plenary Retail Consumption Liquor License – Cajo Enterprises LLC, T/A One 53- Borough Clerk Newman stated that the application and fees have been received, as well as the

Approved 7/18/2011

tax clearance certificate. There have been no complaints received by the Borough. Mayor Zimmerman opened the meeting to the public. Hearing no comments the floor was immediately closed.

Motion was made by Hochberg to approve the resolution as presented. Motion was seconded by Pausch. Motion carried on roll call vote – all ayes.

For: Bremner, Donahue, Hochberg, Pausch, Steen

Against: None

Abstain: None

Resolution 2011- 59 Resolution Ratifying Tennis Camp Funding- Motion was made by Donahue to approve the resolution as presented. Motion was seconded by Hochberg. Motion carried on roll call vote- all ayes.

For: Bremner, Donahue, Hochberg, Pausch, Steen

Against: None

Abstain: None

First Reformed Church- Use of Panicaro Park- Mayor Zimmerman stated a request was received from the First Reformed Church to utilize Panicaro Park for their annual picnic. Motion to approve the request was made by Pausch. Motion was seconded by Bremner. Motion carried on voice vote- all ayes.

UNFINISHED BUSINESS

Discussion of Reinstatement of Rocky Hill First Aid Squad- Scott Gorman, President of the Rocky Hill First Aid Squad introduced himself and addressed the Council. Mr. Gorman stated that the squad has been making a great deal of effort to devise a solid plan to move forward. Mr. Gorman stated the squad has had a presence at several Borough events, such as the pancake breakfast as well as the yard sale, which has generated several new members. Mr. Gorman stated that they would like to start responding to calls in early August, with two shifts from 7 PM to 7 AM on Friday and Saturday at this point. Mr. Gorman stated they want to ensure they will be able to make calls, so that is the reason for the limited hours in the beginning. Mr. Gorman stated once skilled trained manpower becomes available, the squad would expand their shifts. Council Member Donahue stated he was thrilled to see the level of professionalism that was being presented to the Council. Council Member Donahue stated that his confidence has been restored with the presentation that was given at the meeting. Council Member Donahue offered the Council's support in any way that is necessary to re-vive the Rocky Hill rescue squad. Council President Pausch reiterated Council Member Donahue's sentiments. Mr. Gorman thanked the Council for their time, and stated he would hope to be on the July agenda for reinstatement in early August.

COMMUNICATIONS:

Communications as listed were distributed, disseminated and filed accordingly. Mayor Zimmerman read a letter of resignation from Deputy Clerk Whitlock, which was added to the list of communications.

FINAL PUBLIC COMMENT

The floor was opened to the public for comments/questions:

Cliff Moore, Skillman Ave.- Mr. Moore stated there is a car parking on green acres daily fishing for clams.

Hearing no further comments the floor was closed to the public.

Executive Session – Resolution 2011-60 to Retire into Executive Session

Borough Clerk Newman read the resolution in full. Motion was made by Steen to retire into executive session. Motion was seconded by Hochberg. Motion carried on roll call vote- all ayes.

For: Bremner, Donahue, Hochberg, Pausch, Steen

Against: None

Approved 7/18/2011

Abstain: None

ADJOURNMENT:

Motion was made by Steen with a second by Bremner to adjourn the meeting at 9:56 PM. All voted in favor of adjournment.

Respectfully submitted:

Rebecca P. Newman
Borough Clerk

RESOLUTION AUTHORIZING THE CORRECTIVE ACTION
PLAN SUBMITTED BY THE CHIEF FINANCIAL OFFICER
OF THE BOROUGH OF ROCKY HILL

RESOLUTION 2011-57

WHEREAS, the Chief Municipal Finance Officer has identified certain accounting requirements, which were not being fully implemented; and

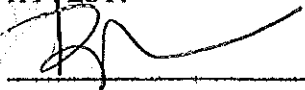
WHEREAS, the Chief Municipal Finance Officer has set forth a description of the accounting records to be established and identified the manner of Corrective Action on June 6, 2011, such memo attached hereto as an Exhibit hereof;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Rocky Hill that the Council does hereby approve and authorize the implementation of the accounting practices and records as set forth in a memo of its Chief Municipal Finance Officer dated June 6, 2011

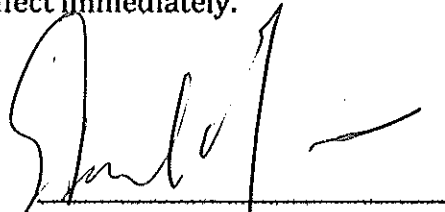
BE IT FURTHER RESOLVED that a copy of this resolution shall be forwarded to the Department of Community Affairs.

1. That this Resolution shall take effect immediately.

ATTEST:



Rebecca P. Newman, RMC
Borough Clerk



Edward P. Zimmerman, Mayor

CERTIFICATION

I, Rebecca P. Newman, Municipal Clerk of the Borough of Rocky Hill, County of Somerset and State of New Jersey, do hereby certify the foregoing to be a true copy of a Resolution duly adopted by the Mayor and Council on June 20, 2011.

Rebecca P. Newman, RMC
Borough Clerk

RESOLUTION 2011 - 58

**BOROUGH OF ROCKY HILL
SOMERSET COUNTY**

WHEREAS, application has been received from Cajo Enterprises LLC, T/A One 53 for renewal of the Plenary Retail Consumption Liquor License (1817-33-001-004); and

WHEREAS, said application is complete and accompanied by the required fees, affidavits, and tax clearance certificate from the New Jersey Division of Taxation; and

WHEREAS, no written objection to the renewal of this license was received by the Borough Clerk;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey, as follows:

1. That the license as referenced above be renewed for the 2011-2012 license year and that the Borough Clerk be directed to forward a certified copy of this Resolution and the renewal application and accompanying fee to the Division of Alcoholic Beverage Control, Department of Law and Public Safety, for processing, and to the applicants; and;
2. That the Borough Clerk be authorized to issue the 2011-2012 license to the proper holder with the effective date of July 1, 2011.
3. This Resolution shall take effect immediately.

ATTEST:

By: _____

Rebecca P. Newman
Borough Clerk

By: _____

Edward P. Zimmerman, Mayor

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk of the Borough of Rocky Hill do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council on June 20th, 2011.

Rebecca P. Newman
Borough Clerk

BOROUGH OF ROCKY HILL
COUNTY OF SOMERSET

RESOLUTION 2011-59

WHEREAS, the Borough of Rocky Hill has agreed to offer a tennis camp to children; and

WHEREAS, at the June 6th, 2011 meeting of the Borough Council, approval was given to hold this camp during the week of July 11th through July 15th, 2011; and

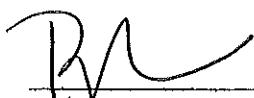
WHEREAS, at the same Borough Council meeting held on June 6th 2011, the Borough approved an amount not to exceed \$1,200.00 for the cost of the camp instruction; and

WHEREAS, the Borough has determined the charge to participate in the camp will be \$25.00 per Rocky Hill Resident and \$55.00 per non Rocky Hill resident; and


WHEREAS, the funds collected will offset the cost of the camp instruction offered through Princeton Tennis Program; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey, that an amount not to exceed \$1,200.00 will be appropriated to provide instruction for the Tennis Camp and camp will be held the week of July 11th -- July 15th 2011.

Attest:


Rebecca P. Newman
Borough Clerk

Borough of Rocky Hill:


Edward P. Zimmerman
Mayor

I, Joseph P. Monzo, Chief Financial Officer of the Borough of Rocky Hill do hereby certify that funds for this contract are available from 01-201-28-370-140.

Joseph P. Monzo, Chief Financial Officer

CERTIFICATION

I, Rebecca P. Newman, Acting Borough Clerk of the Borough of Rocky Hill, County of Somerset, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on June 20th , 2011.

Rebecca P. Newman
Borough Clerk

EXPLANATION: THIS RESOLUTION ALLOWS THE BOROUGH COUNCIL TO RETIRE INTO EXECUTIVE SESSION.

BOROUGH OF ROCKY HILL

RESOLUTION 2011- 60

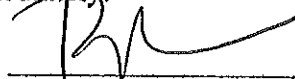
WHEREAS, Section 8 of the Open Public Meetings Act (N.J.S.A. 10:4-12(b) (1-9) permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Borough Council is of the opinion that such circumstances exist.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action on the executive Session of June 20th, 2011
2. The general nature of the subject matter to be discussed is as follows: -
Contract Negotiations: Township of Montgomery: Sewer Agreement
3. Minutes of said discussion will be made available as soon as it is deemed in the public interest to do so.
4. The Borough Council may take official action on those items discussed in executive session upon completion of the executive session.

This Resolution takes effect immediately.



Rebecca P. Newman

Borough Clerk

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk, of the Borough of Rocky Hill, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council at a regular meeting of said Council held on June 20th, 2011.

Rebecca P. Newman
Borough Clerk